

## Consumer Products Working Group **Sixth Meeting Summary - November 1997**

### **Introduction**

This is a summary of the consumer products meetings and workshop that were held on November 18 and 19, 1997, at the Air Resources Board in Sacramento, California.

### **Consumer Products Working Group Meeting**

On November 18, the sixth semiannual meeting of the Consumer Products Working Group (CPWG) was held. The following items were presented at the meeting:

#### Update on Consumer Products Related Activities:

1. Status of State Implementation Plan
2. Update on the Pesticide Element of the State Implementation Plan
3. Aerosol Coatings
4. Hairspray:
  - Hairspray Variance/Special Reporting Guidelines
  - Hairspray Credit Program
5. June 1998 Technical Assessment for:
  - Personal Fragrance Products
  - Crawling Bug Insecticide
6. Industrial/Institutional Definitions
7. Alternative Control Plan Expansion
8. Comprehensive Update to Consumer Products Inventory
9. Mid-term Measures
10. Long-Term Measures
11. Research Contracts/Reactivity Committees
12. Antiperspirant and Deodorant Regulatory Update
13. Low Vapor Pressure Volatile Organic Compound

## **Summary of CPWG Updates**

### **C     Status of the State Implementation Plan (SIP)**

Cynthia Marvin of the Office of Air Quality and Transportation Planning provided an update on the status of the 1994 State Implementation Plan (SIP) for ozone. Although the ARB is making progress on many of its commitments, other anticipated measures have been delayed or are no longer feasible on the scale envisioned in the SIP. In addition, long-term commitments such as the mobile source “black box” and the long-term consumer products measures must still be fulfilled. As a result, the Air Resources Board held an advanced technology symposium in Fall 1997 to explore new technologies to cover SIP shortfalls and the “black box.” Based on continuing technology review, as well as the symposium, the ARB is undertaking an aggressive regulatory schedule for 1998 including: (1) adoption of tighter emission standards for cars and trucks, including alignment of emission standards for cars, trucks, and sport-utility vehicles; (2) adopting new emission standards for off-road equipment; and (3) completing the mid-term consumer product measures.

In response to a question about the timing of the next SIP revision, Ms. Marvin explained that the next comprehensive SIP revision, with updated inventories and modeling, will begin in the 2000 timeframe. Ms. Marvin noted that it is not possible to modify the SIP each time emission inventories change, however, ARB will continue to use the best information available when developing regulations. Until 2000, minor SIP revisions to substitute for infeasible measures may occur. As long as these minor revisions do not affect the attainment modeling, they will not require a comprehensive revision. In response to a related question about anticipated changes for consumer products, Ms. Marvin noted that any modifications will be based on the Stationary Source Division’s current work to update the inventory. In response to a question about the impact of new information, such as that obtained during the Southern California Ozone Study (SCOS), Ms. Marvin replied that the ARB will use the data gathered during SCOS to refine the technical tools available for the next comprehensive SIP revision.

### **C     Update on the Pesticide Element of the SIP**

Mark Pepple from the Department of Pesticide Regulation (DPR) gave an update on the pesticide volatile organic compound (VOC) plan. DPR is implementing a plan to reduce agricultural and commercial structural pesticide use sources of VOCs by 20 percent between 1990 and 2005. DPR will ensure the 20 percent reduction in any air district that formally references the pesticide plan. To estimate annual pesticidal VOC emissions, DPR multiplies the emission potential (EP) of each pesticide by its annual use. EP is based on one of the following: the thermogravimetric analytical method, a water subtraction method, an inorganic ingredient subtraction method, or a default

value based on formulation type. Based on the latest estimates of pesticidal VOC emissions, all five federal ozone nonattainment areas (NAAs) are meeting interim reduction goals and four out of five of the NAAs have already met the final 20 percent reduction goal in the last two years (1994 and 1995). DPR plans to hold workshops in early 1998 to identify voluntary and regulatory strategies to meet the reduction goal and will adopt a regulation that would take effect if pesticidal VOCs do not continue to meet applicable interim and final reduction goals.

C     Aerosol Coatings

ARB staff presented an update on the Aerosol Coatings Survey. The questionnaires were sent out to manufacturers and responsible parties on November 26, 1997. All sales and formulation data, as well as information on research and development efforts, are due back by February 26, 1998. Workshops are planned for early April, early June, and early August 1998. An ARB hearing is scheduled for late September 1998 on the feasibility of meeting the December 31, 1999 VOC standards for aerosol coatings.

C     Hairspray Variance/Special Reporting Guidelines

Staff reported on the hairspray variance/special reporting guidelines. A public workshop was held on June 5, 1997, to discuss the initial drafts of the special reporting and variance mitigation guidelines. After discussion with the industry it was decided to first focus on the special reporting guidelines, therefore, further development of the variance mitigation guidelines was suspended. However, staff expects to complete the variance guidelines in the Spring of 1998. The special reporting guidelines are being developed in a question and answer format which provides guidance on the type of information and the level of detail that is needed in the compliance plan and quarterly updates. In addition, the special reporting guidelines contain an ARB Reporting Form and a template for a compliance plan timeline. The special reporting guidelines were finalized on December 5, 1997, and made available to the public on December 12, 1997.

C     Hairspray Credit Program

ARB staff reported on the Hairspray Credit Program (HCP). At its November 13, 1997, public hearing, the Air Resources Board approved the proposed HCP regulation and staff's suggested changes for addressing several comments by the United States Environmental Protection Agency. Staff anticipates that specific regulatory language to implement the suggested changes will be available to the public early in 1998 for a 15-day comment period. The HCP is a voluntary, market-based emission reduction

credit program. Only hairspray products with volatile organic compounds (VOC) levels at or below the second-tier hairspray standard of 55 percent may qualify for credits for generating emission reductions that are surplus to state and federal requirements. However, the credits may be used to obtain additional time to comply with the upcoming VOC standards for a wide variety of consumer products categories.

C Technology Assessment

ARB staff reported that we have begun our technical assessment for crawling bug insecticide and personal fragrance products. We are reviewing the technical literature, analyzing data collected from the registration database, and will be conducting a telephone survey of manufacturers in the near future. All of this information will be used to determine the feasibility of the future effective volatile organic compound limits for these categories.

C Industrial and Institutional Definition

The recently approved amendments to the consumer products regulation include a provision to exempt lubricants that are for industrial use only, and that are labeled “not for retail sale.” Due to industry interest, we will investigate the feasibility of expanding this type of exemption to other consumer product categories. We plan to form a committee of interested parties next spring to help us determine if a similar exemption is feasible for other product categories.

C Expansion of the Alternative Control Plan (ACP) Regulation

Manufacturers have expressed interest in making the ACP more “user-friendly.” Areas of consideration include simplification of the application and data submittal process, extension of the lifetime of ACP surplus credits from the current one year, investigation of merging the ACP with other mobile and stationary source credit programs, and a determination as to if aerosol coating products could be “bubbled” with other consumer products.

C Comprehensive Update to Consumer Products Inventory

At the July 24, 1997, Board hearing, the Board directed ARB staff to perform a comprehensive update of the consumer products inventory. As part of this effort, staff reviewed the Phase I/II surveys, the United States Environmental Protection Agency’s survey, and the Mid-term Measures survey, and determined that a comprehensive survey is needed to provide: 1) updated sales and emissions data to establish a new inventory baseline, 2) detailed speciation of volatile organic compounds (VOCs) and low vapor pressure VOCs (LVPs) for inventory and modeling purposes, and 3) current formulation

data to assess the feasibility of reactivity-based standards. We developed a survey format with participation from industry members. A conference call was held on October 20, 1997, and a draft survey was mailed out for review and comment on October 24, 1997. Industry requested that the survey be delayed in order to allow ARB staff and industry to come to agreement on the format and the categories to be surveyed.

The meeting concluded with an agreement between ARB staff and industry members to meet on January 14, 1998, to discuss the ARB's inventory data needs and possible modifications to the survey. Staff agreed to provide a detailed breakdown of the current inventory prior to the meeting to allow industry time to review the material and give feedback during the meeting.

At the January 14, 1998, meeting, ARB staff provided a per category breakdown of the consumer products emissions inventory. Staff and industry discussed the inventory and the upcoming survey.

#### C Mid-term Measures

ARB staff summarized the Mid-term Measures amendments, which were adopted by the Board on July 24, 1997. The amendments add 25 standards for 18 new product categories to the existing consumer products regulation, and add reporting requirements for manufacturers using toxic air contaminants in their products. The amendments are expected to achieve a 16 ton per day reduction, partially satisfying the ARB's Mid-term Measures State Implementation Plan commitment. Staff will propose additional categories for regulation to the Board in the fall of 1998.

#### C Long-Term Measures

Staff reported on the project outlook for the adoption of the long-term measures strategies in the State Implementation Plan (SIP) approved by the U.S. EPA. Because of the importance of the focus on the development of the mid-term measures strategies, staff provided an updated proposed schedule for the development of the long-term measures strategies at the April 1996 Consumer Products Working Group Meeting. Again, due to the workload on other projects, staff proposed revised milestones. Under the revised schedule the long-term measures subgroup would be formed in the Spring of 1998 and the draft summary of strategies would be completed by the Spring of 1999. A prioritization of the viable strategies for the long-term measures would be done by October 1999, and beginning January 2000 staff would develop the Group I strategies with the subgroup and through the workshop process. Staff plans to present the Group I strategies to the Board for their approval in December 2001.

Several of the long-term measures strategies that will be explored will be new technological breakthroughs in currently-regulated products, economic incentives, and consumer education. Even though staff plans to begin work on the development of the long-term measures next Spring, staff is interested in hearing from all interested parties regarding the possible long-term measures strategies. Given the tasks at hand, staff believes the revised proposed schedule is more workable and will still allow the time needed to meet the SIP commitments.

## C Research Contracts

### Continuing Research:

Three ARB contracts relevant to consumer products are currently active. The contracts are designed to improve ARB's aerosol paints speciation profiles, to improve our understanding of the uncertainty associated with mechanisms used to calculate reactivities, and to better understand the reactivities of compounds common in many consumer product categories.

The aerosol paints speciation contract titled "Improvement of Speciation Profiles for Aerosol Coatings" awarded to Dr. Albert Censullo at California Polytechnic State University, San Luis Obispo, is almost complete with a draft final report due to ARB very early in January, 1998. The draft report will be distributed to the Aerosol Coatings Committee for review and comment before the report is finalized.

The contract "Uncertainty Analyses of Chemical Mechanisms Derived from Environmental Chamber Data" being performed by Dr. Carter of U.C. Riverside and Dr. Milford at the University of Colorado, Boulder is slightly behind schedule. The lost ground should be quickly recovered during the next phase. The preliminary work has been completed, but required more time than originally thought necessary. Preliminary results should be available by mid-summer 1998.

The contract "Investigation of Atmospheric Reactivities of Selected Stationary Source VOCs" awarded to Dr. Carter at U.C. Riverside is progressing well. The experimental work is almost complete. The analysis of the data has started and a draft final report should be available by spring of 1998.

### New Research:

Two proposed projects are proceeding through ARB's approval process and are relevant to the consumer product industry. These are "Atmospheric Chemistry of Mineral Spirits" where product studies of the atmospheric reactions of three C10 alkanes will be studied, and "Development of Improved Reactivity Measurement Methods" where the next generation of reactivity measurement techniques will be developed. If all goes as planned these projects will obtain final approval by March of

1998 when work will begin. The projects are planned as two and three year projects respectively.

C Antiperspirant and Deodorant Regulatory Update

A brief update on the antiperspirant and deodorant (AP/DO) regulation was provided. Staff reported that at the June 26, 1997, hearing we informed the Board that manufacturers were making good progress toward complying with the zero percent high volatility organic compound (HVOC) limits for aerosol product forms. The HVOC limits become effective on January 1, 1999. To avoid duplication, industry was also informed that the overall consumer product survey would fulfill the survey requirement in the AP/DO regulation for 1998.

C Low Vapor Pressure Volatile Organic Compound Activities

ARB staff gave a presentation on low vapor pressure volatile organic compounds (LVP-VOC). The presentation covered the history of the LVP-VOC exemption in the consumer product regulations, current project activities relating to LVP-VOCs, and both short- and long-term goals for the program. Changes to the definition of LVP-VOCs planned for the November 1998 Board Hearing will be limited to the proposed test methods. Longer-term goals include a review of the environmental fate of LVP-VOCs. An LVP-VOC working group is being formed to work closely with industry to ensure we consider industry's and our own concerns and to provide guidance on the long-term evaluation of LVP-VOCs.

The ARB's Monitoring and Laboratory Division also gave an update on the test method development and schedule. Two methods are currently under consideration for LVP-VOC determination. The Isoteniscopic Analysis, ASTM 2879, has just completed its intra-laboratory analysis, with round-robin analysis to begin in the first quarter of 1998. Also being considered is Simulated Distillation, ASTM 2887, with an LVP-VOC boiling point cut-off of 216°C. There are currently no plans to conduct round-robin analysis on this test method.

At the subsequent January 14, 1998, consumer products meeting, it was agreed that the ARB would conduct a separate survey to evaluate the use of LVP-VOC solvents and surfactants. Staff committed to working with industry on developing a list of compounds and mixtures to survey, as well as the categories that will be surveyed.

In addition to the upcoming LVP-VOC survey, it is anticipated that future activities will include at least one workshop on the round-robin testing during the summer of 1998. An additional workshop will be held if necessary. ARB staff anticipates having a staff report released in September or October of 1998 in preparation for the Board Hearing in November 1998.

## **Additional Product Categories Assessment**

During the Mid-term Measures regulatory process, investigation into 13 consumer product categories was postponed in order to assess the feasibility of developing proposed volatile organic compound limits. At the direction of our Board, we have continued our investigation into these product categories and plan to provide them with a regulatory proposal in November of 1998.

The Additional Product Categories can be subcategorized as follows:

*Health Benefit Product Categories:* Includes Antimicrobial Hand or Body Cleaners or Soaps, Medicated Astringents and Toners, Non-medicated Astringents and Toners, and Disinfectants. We are working with industry, the Department of Health Services, and other experts, as necessary, to determine the feasibility of regulating these product categories. Due to Senate Bill 230, which prohibits the Air Resources Board from adopting a regulation for disinfectants prior to December 1, 2003, we will not develop proposed standards for this category in the 1998 time frame.

*Down-the-Drain Product Categories:* Includes Antimicrobial Hand or Body Cleaners or Soaps, Facial Cleaners or Soaps, General Use Hand or Body Cleaners or Soaps, Hand Dishwashing Detergents, and Liquid Laundry Detergents. We are continuing to work with industry to gather updated product use information and environmental fate data to refine emission numbers for these product categories.

*100% Solvent Product Categories:* Includes Multipurpose Solvents, Paint Brush Cleaners, Paint Thinner, and Rubbing Alcohol. We are continuing our investigation as to the feasibility of developing a reactivity-based regulatory strategy.

*Product Categories Requiring Further Investigation of Reformulation Options:* Includes Multipurpose Dry Lubricants. After further review of this product category, we have determined that the emissions from non-industrial products are insufficient to warrant standard development.

The meeting concluded with a presentation of our proposed schedule for developing standards for the additional product categories, followed by a request for comments on the data summaries mailed out earlier in the month. We held a conference call with industry on December 18, 1997, to discuss their comments on the data summaries.

## **Public Workshop**

On November 19, 1997, ARB staff conducted a public workshop to discuss alternative compliance options for antiperspirant and deodorant manufacturers (AP/DO). Although manufacturers are making good progress in complying with the January 1, 1999, zero percent



high volatility organic compound limits, we committed to work with industry to develop alternative approaches to provide flexibility. Staff presented a proposal for voluntary reactivity-based standards and a proposal to expand the Alternative Control Plan (ACP) regulation. Because issues regarding exemptions need to be resolved with industry, we are not pursuing reactivity-based standards at this time. We are continuing to investigate this approach for the Board's consideration in the fall of 1998. At industry request, we are also delaying amendments to the ACP until a later time.

### **Future Meetings**

C        The next meeting of the CPWG is tentatively scheduled for April or May, 1998.

*Inquiries about this meeting summary should be directed to Doris Rausch, Air Resources Board, at (916) 327-1529.*

